

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

DARIN TYRONE RONE
ADC # 120531

PLAINTIFF

V.

5:05CV00292 SWW/HDY

MARCO AVANT, Corporal, East Arkansas Regional Unit; LARRY NORRIS, Director, Arkansas Department of Correction; MRS. YARBROUGH, Arkansas Department of Correction; T. COMPTON, Grievance Officer, Arkansas Department of Correction; R. HOBBS, Assistant Director, Arkansas Department of Correction; DR. ANDERSON, Arkansas Department of Correction; G. HARMON, Warden, East Arkansas Regional Unit, Arkansas Department of Correction; BANKS, Warden, East Arkansas Regional Unit, Arkansas Department of Correction; E. WILLIAM, Major, East Arkansas Regional Unit, Arkansas Department of Correction; SANDERS, Sgt., East Arkansas Regional Unit, Arkansas Department of Correction; WATSON, Assistant Warden, East Arkansas Regional Unit, Arkansas Department of Correction; MAX MOBLEY, Assistant Warden, East Arkansas Regional Unit, Arkansas Department of Correction; GOLAZZ, Corporal, East Arkansas Regional Unit, Arkansas Department of Correction; G. HARRIS, Warden, Varner Super Max, Arkansas Department of Correction; NURSE ROOKS, Varner Super Max, Arkansas Department of Correction; and DR. SHAN, Varner Super Max, Arkansas Department of Correction

DEFENDANTS

ORDER

Pending before the Court is Plaintiff's Motion for Voluntary Dismissal (docket entry #5), in which Plaintiff seeks voluntary dismissal of his claims against the Defendants.

Because Defendants have not been served, no answer or motion for summary judgment has been filed. Accordingly, pursuant to Fed. R. Civ. P. 41(a)(1), Plaintiff is entitled to a voluntary dismissal, without prejudice, of his claims against Defendants. Plaintiff's Motion for Voluntary Dismissal will, therefore, be GRANTED, and all pending Motions are DENIED AS MOOT.

IT IS SO ORDERED this 16th day of November, 2005.

/s/Susan Webber Wright

UNITED STATES DISTRICT JUDGE